

REMARKS

Applicant has carefully reviewed the Examiner's response to arguments and has amended claims 1 and 5 in a genuine effort to address the issues raised by the Examiner so that claims 1-10 can also be allowed.

As to claim 1 and the Smyrl reference USP 3,913,675, claim 1 expressly states that the seat is secured to the crossover so that it and the obstructing object cannot be moved until the pressure at least as high as necessary to set the packer is applied. Smyrl is designed to blow out the seal and the seated ball references formation pressure below. As a result Smyrl can blow the seat out early if the formation pressure is unexpectedly low. The immovable seat in claim 1 allows the packer to set without regard to downhole formation pressures. It is hoped that this was the language the Examiner was looking for to distinguish Smyrl.

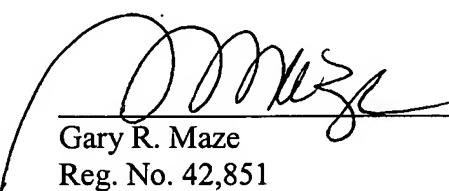
As to claim 1 and Hill Jr. US Application 2002/0195253 here again the seat in claim 1 is immovable so that the packer is set with no seat movement and no adverse effect from downhole pressure variations.

As to claim 5, Applicant has attempted to address the points raised by the Examiner in the Response to Arguments although with words missing from the text it was sometimes hard to determine what the Examiner was driving at. There are two positions involved and non in between. In the first position the packer is set. In the second position the gravel is deposited and still in that same second position the excess gravel is reversed out. Hill Jr. sets the packer in the first position, tests the set in a second position, deposits gravel in a third position and reverses out excess gravel in a fourth position. The main point is that Hill Jr.'s crossover has to move after gravel deposition and before reversing out excess gravel. Claim 5 has been made explicit that as between gravel deposition and reversing out excess gravel there is no movement of the crossover at all. In Hill Jr. there is clearly movement. The direction and extent of Hill Jr.'s movement between deposition and reversing out excess gravel is immaterial. Whether Hill Jr. goes back to a previous position is not the issue. The issue is that he has to move the crossover with gravel everywhere before he can reverse the excess gravel out. This can result in sticking the crossover, a situation the method of claim 5 avoids because between those two operations, there is no crossover movement.

All the rejected claims are submitted to be in allowable condition.

Respectfully submitted,

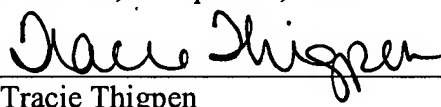
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